

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and the following remarks are presented for the Examiner's consideration.

Claim 1 was provisionally rejected on the ground of non-statutory obviousness-type double patenting over claims 1 and 6 of co-pending Application No. 09/622,656. Since the rejection is provisional, Applicants elect to defer responding to the rejection until such time that a response becomes necessary, i.e. when no other rejection remains.

Claim 1 was further rejected under 35 U.S.C. 103(a) over U.S. Patent No. 6,314,454 to Wang et al. (hereinafter "Wang") in view of U.S. Patent No. 6,175,858 to Bulfer et al. (hereinafter "Bulfer"). For the following reasons, the rejection is respectfully traversed.

Applicants respectfully submit that, even if Wang and Bulfer were combined as stated in the rejection, every limitation of claim 1 would not be taught or suggested, as required. Specifically, neither Wang nor Bulfer teaches or suggests that a "client system receives an incoming call including a signal indicating accumulation of delivery message...in the server unit," as required. The Examiner acknowledges that Wang does not teach or suggest these limitations, and therefore cites Bulfer for this purpose.

It is respectfully submitted that Bulfer only teaches that "[a]fter retrieving a new message, the agent 12 would notify the *user* of the new messages," (column 2, lines 49–51, emphasis added). Bulfer teaches a number of ways that the agent (12) can notify a *user* that a new message has been received, such as by "paging the user or calling the user at a designated number," (column 2, lines 52–53). Nonetheless, in every case, the user's email client is not notified of the

existence of the new mail until the user activates their email client. Whereas, claim 1 requires that the *client system* receives the signal indicating accumulation of delivery message.

For each of the reasons stated above, there is no teaching or suggestion of using a push-type mail system anywhere in Wang or in Bulfer. Therefore, even if Wang and Bulfer were combined, every limitation of claim 1 would not be taught or suggested. Thus, claim 1 is patentable over the prior art of record.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32911US1.

Respectfully submitted,
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